

UNITED STATES DISTRICT COURT
DISTRICT OF NEW HAMPSHIRE

SECURITIES AND EXCHANGE
COMMISSION,

Plaintiff,

v.

LBRY, INC.,

Defendant.

Civil Action No. 21-cv-00260-PB

**ASSENTED-TO MOTION FOR LEAVE TO EXCEED PAGE
LIMITATIONS IN MEMORANDUMS RELATED TO EXPERT TESTIMONY**

Plaintiff United States Securities and Exchange Commission (“Commission”) respectfully asks this Court to grant it leave to file a memorandum of no more than twenty pages (five additional pages) in support of a motion to exclude the opinions and expert testimony of Boris Richard, pursuant to Local Rule 7.1(a)(3). Plaintiff requests that Defendant LBRY also be granted leave to file a memorandum of no more than twenty pages in any memorandum in opposition to that motion. Defendant LBRY assents to this request. In support of its Motion for Leave, the Commission states as follows:

Plaintiff is preparing a motion to exclude the opinions and expert testimony of Boris Richard, because those opinions do not comply with the standards in *Daubert v. Merrell Dow Pharm., Inc.*, 509 U.S. 579 (1993).

While LBRY does not concur with the Commission’s *Daubert* motion, the parties agreed that five additional pages of briefing for both Plaintiff and Defendant would allow the parties to present their positions to the Court with greater clarity.

Plaintiff asks this Court to grant this assented-to motion for leave to file a memorandum of not more than 20 pages in support of Plaintiff's motion to exclude the opinions and testimony of Boris Richard and leave for Defendant LBRY to file a memorandum of not more than 20 pages in opposition to that motion.

Dated: July 7, 2022

Respectfully submitted,

**SECURITIES AND EXCHANGE
COMMISSION**

By its Attorneys,

/s/ Marc Jones

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CERTIFICATE OF SERVICE

I hereby certify that, on July 7, 2022, I caused true and correct copies of the foregoing to be served on counsel of record for all parties that have appeared to date through the Court's CM/ECF system.

/s/ Marc Jones

Marc Jones